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Maldives

The present report is a compilation of the information contained in reports of the treaty bodies and special procedures, including observations and comments by the State concerned, in reports of the United Nations High Commissioner for Human Rights, and in other relevant official United Nations documents. It is presented in a summarized manner owing to word-limit constraints. For the full texts, please refer to the documents referenced. The report does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights other than those contained in public reports and statements issued by the Office. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. Information included herein has been systematically referenced in endnotes. The report has been prepared taking into consideration the periodicity of the review, and developments during that period.

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I. Background and framework

A. Scope of international obligations¹

International human rights treaties ²			
	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified not accepted</i>
<i>Ratification, accession or succession</i>	ICERD (1984)		ICCPR-OP 2
	ICESCR (2006)		ICRMW
	ICCPR (2006)		ICPPED (signature, 2007)
	CEDAW (1993)		
	CAT (2004)		
	OP-CAT (2006)		
	CRC (1991)		
	OP-CRC-AC (2004)		
	OP-CRC-SC (2002)		
<i>Reservations and/or declarations</i>	CRPD (2010)		
	ICCPR (reservation, art. 18, 2006)		
	CEDAW (reservation, art 16, 1999)		
	CRC (reservations, arts. 14 and 21, 1991)		
	OP-CRC-AC (declaration under art. 3 (2); 18 years, 2004)		
<i>Complaints procedures, inquiries and urgent action³</i>	ICCPR-OP 1 (2006)	OP-ICESCR (Signature, 2011)	ICERD, art. 14
	OP-CEDAW, art. 8 (2006)	OP-CRC-IC (Signature, 2012)	OP-ICESCR (signature, 2011)
	CAT, art. 20 (2004)		ICCPR, art. 41 CAT, arts. 21 and 22 OP-CRC-IC (signature, 2012) ICRMW OP-CRPD ICPPED (signature, 2007)

Other main relevant international instruments⁴

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified</i>
<i>Ratification, accession or succession</i>	Convention on the Prevention and Punishment of the Crime of Genocide	Rome Statute of the International Criminal Court	Palermo Protocol ⁷
	Geneva Conventions of 12 August 1949 and Additional Protocols I and II ⁵	ILO fundamental conventions ⁶	Additional Protocol III to the 1949 Geneva Conventions ⁸
			Conventions on refugees and stateless persons ⁹
			ILO Conventions Nos. 169 and 189 ¹⁰
			UNESCO Convention against Discrimination in Education

1. In 2011, the Committee on the Elimination of Racial Discrimination (CERD) recommended that Maldives consider ratifying ICRMW¹¹ and four international instruments on refugees and stateless persons¹² and encouraged Maldives to recognize the competence of CERD to receive and consider individual complaints.¹³

2. In 2012, the Human Rights Committee (HR Committee) considered the reservation of Maldives to article 18 of ICCPR to be incompatible with the object and purpose of the Covenant and recommended that Maldives withdraw its reservation.¹⁴ CERD made a related recommendation.¹⁵

B. Constitutional and legislative framework

3. HR Committee expressed concern that article 16 (b) of the Constitution provided that “the limitation of a right or a freedom specified in this Chapter by a law enacted by the People’s Majlis as provided in the Constitution, and in order to protect and maintain the tenets of Islam, shall not be contrary to article (a)” impeded the application of the Covenant. HR Committee recommended that Maldives give full and unimpeded effect to the provisions of ICCPR in its domestic legal order and ensure that the provisions of article 16 (b) of the Constitution are not invoked to justify the failure by Maldives to fulfil its obligations under the Covenant.¹⁶

4. In 2013, the Special Rapporteur on the independence of judges and lawyers recommended that Maldives urgently pass the Penal Code and Sentencing Bill, the Criminal Procedure Code, the Civil Procedure Code and the Evidence Act, and ensure that these laws are in line with the provisions of the Constitution and the international human rights obligations of Maldives.¹⁷ The United Nations Development Programme (UNDP) also recommended all such essential pieces of legislation should be urgently passed and be in line with Maldivian international obligations.¹⁸

5. UNDP reported that the new Penal Code was finally passed in 2014 and for the first time contains sentencing guidelines. The Code includes provisions related to corporal punishment, including flogging for sexual intercourse out of marriage, and provisions on capital punishment, including death penalty for heinous murders. UNDP recommended a comprehensive review of the new Penal Code in order to bring it in line with Maldivian international obligations.¹⁹

C. Institutional and human rights infrastructure and policy measures

Status of national human rights institutions²⁰

<i>National human rights institution</i>	<i>Status during previous cycle</i>	<i>Status during present cycle²¹</i>
Maldives Human Rights Commission	B (2008, confirmed in 2010)	B

6. HR Committee recommended that Maldives remove the legal requirement which prevents non-Muslims from being appointed as members of the Human Rights Commission of Maldives (HRCM) and consider expanding its mandate to promote all human rights and freedoms, in full compliance with the Paris Principles.²² CERD recommended that HRCM represent all groups in the country.²³

7. CERD recommended that Maldives continue its dialogue with HRCM and engage with civil society organizations working in the area of human rights protection.²⁴

8. The United Nations Population Fund (UNFPA) stated that the newly established Ministry of Law and Gender, under the auspices of the Attorney-General's Office coordinated the legislative agenda to implement the rights and freedoms guaranteed in the Constitution. Capacity needed to be built to mainstream human rights and to continue progress on democratic reform and operationalization of the Constitution.²⁵

II. Cooperation with human rights mechanisms

9. In 2014, the United Nations High Commissioner for Human Rights expressed deep concern at the case initiated by the Supreme Court of Maldives against the five members of HRCM, following the Commission's submission of a written contribution to the second universal periodic review of Maldives to the Human Rights Council. The Government had a responsibility to ensure a safe operating space for the Commission and for civil society actors in the country, so that they were able to cooperate with United Nations human rights mechanisms without fear of reprisals. The United Nations High Commissioner for Human Rights Zeid Ra'ad Al Hussein had also written directly to the Government of Maldives to express his concerns.²⁶

10. Expressing concern at information that some individuals who had provided information to the Committee had been subjected to threats and intimidation as a result of submitting such reports, HR Committee recommended that Maldives should protect such individuals.²⁷

A. Cooperation with treaty bodies²⁸

1. Reporting status

<i>Treaty body</i>	<i>Concluding observations included in previous review</i>	<i>Latest report submitted since previous review</i>	<i>Latest concluding observations</i>	<i>Reporting status</i>
CERD	August 1999	2010	August 2011	Thirteenth to fifteenth periodic reports due in 2015
CESCR	--	--	--	Initial report overdue since 2008
HR Committee	--	2010	July 2012	Second report due in 2015

<i>Treaty body</i>	<i>Concluding observations included in previous review</i>	<i>Latest report submitted since previous review</i>	<i>Latest concluding observations</i>	<i>Reporting status</i>
CEDAW	January 2007	2012	--	Fourth to fifth reports pending consideration in 2015
CAT	--	--	--	Initial report overdue since 2005
CRC	June 2007 (on CRC) /January 2009 (on CRC- Ops)	2013	--	Fourth to fifth reports pending consideration in 2016
CRPD	--	--	--	Initial report overdue since 2012

2. Responses to specific follow-up requests by treaty bodies

Concluding observations

<i>Treaty body</i>	<i>Due in</i>	<i>Subject matter</i>	<i>Submitted in</i>
CERD	2012	Anti-discrimination legislation and human trafficking ²⁹	--
HR Committee	2013	Reservation on art. 18, independence of Judicial Service Commission, resignation of former President, protection of rights in art. 25 and carrying out of Commission of Inquiry into transfer of power in February 2012, protection of individuals who provided information to the Committee ³⁰	Follow-up submission overdue ³¹

Country visits and or inquiries by treaty bodies

<i>Treaty body</i>	<i>Date</i>	<i>Subject matter</i>
SPT	December 2014 ³²	Follow-up visit: report confidential

B. Cooperation with special procedures³³

	<i>Status during previous cycle</i>	<i>Current status</i>
<i>Standing invitation</i>	Yes	Yes
<i>Visits undertaken</i>	Freedom of religion or belief (2006) Independence of judges and lawyers (2007) Freedom of opinion and expression (2009) Adequate housing (2009)	Internally displaced persons (2011) Independence of judges and lawyers (2013)
<i>Visits agreed to in principle</i>	Violence against women	Violence against women Freedom of peaceful assembly and of

<i>Status during previous cycle</i>		<i>Current status</i>
		association
		Discrimination against women (tentatively scheduled for second half of 2015)
<i>Visits requested</i>		Human rights defenders
<i>Responses to letters of allegation and urgent appeals</i>	During the period under review 11 communications were sent. The Government replied to two communications	
<i>Follow-up reports and missions</i>	--	

C. Cooperation with the Office of the United Nations High Commissioner for Human Rights

11. UNFPA reported that a human rights adviser was deployed within UNCT between November 2012 and September 2014.³⁴ OHCHR reported that the Human Rights Adviser supported efforts to mainstream human rights and build the internal capacity of UNCT for better strengthening of the national human rights protection systems.³⁵

12. The High Commissioner visited Maldives in 2011.³⁶

III. Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Equality and non-discrimination

13. HR Committee welcomed the removal by Parliament of the gender bar on running for presidency and the enactment of the Anti-Domestic Violence Act, in 2012.³⁷ UNDP indicated that the Government began the drafting of a Bill on Gender Equality and held initial consultations with stakeholders on the draft legislation.³⁸

14. According to UNDP, a rapid movement towards a conservative interpretation of Islam was having a negative impact on women's realization of their rights. Increasingly, a number of religious sermons that were approved by the Ministry of Islamic Affairs promoted stereotypical roles assigned for women, and continuously promoted the message that a woman's place was at home. Similarly, remarks made by senior political figures and religious leaders were demeaning to women, and promoted gender discrimination and sometimes gender-based violence, such as the endorsement made by the Vice-President of the Fiqh Academy endorsing female circumcision.³⁹ UNDP recommended that Maldives promote religious dialogue on issues that affect women's human rights, and prevent the promotion of discrimination against women including through speech and sermons.⁴⁰

15. UNFPA stated that, in recent years, there had been an increase of out-of-court marriages, particularly in religious conservative contexts. Children born from those unions were considered "illegitimate" and prevented from legally using the father's name or inheriting property from the father, in accordance with the Maldivian interpretation of

sharia law. Despite the Family Court announcement in 2014 that out-of-court marriages would not be registered, the practice continued. UNFPA recommended that Maldives: ensure equal rights for children, including inheritance, regardless of parents' marital status; engage religious institutions to prevent underage and out-of-court marriages; and sensitize communities on disadvantages related to early marriage.⁴¹ HR Committee also recommended that Maldives ensure the right of women to inherit property on an equal footing with men.⁴²

16. In 2011, the High Commissioner suggested expanding women's political role through local council representation on the islands.⁴³ UNDP reported on how the women's development committees on local councils were not given the resources or an authoritative mandate to play a meaningful role in decision-making.⁴⁴

17. Concerned at the continuing de facto gender discrimination which resulted in the underrepresentation of women in political and public affairs, HR Committee recommended that Maldives strengthen its efforts to facilitate the participation of women in political and public affairs and combat stereotypes on the role of women, including by sensitizing its population to ensure the enjoyment by women of their rights.⁴⁵

18. CERD welcomed the Constitution's explicit prohibition of racial discrimination.⁴⁶ Welcoming the information provided by Maldives that an anti-discrimination act was being prepared for 2012, CERD recommended that Maldives enact the planned anti-discrimination act as soon as possible.⁴⁷ CERD requested that Maldives report on the follow-up to this recommendation in 2012.⁴⁸

19. CERD expressed concern at discriminatory provisions in the Constitution according to which all Maldivians should be Muslims, thus excluding non-Muslims from obtaining citizenship or from accessing public positions.⁴⁹ HR Committee recommended that Maldives revise its Constitution to ensure that religion is not a basis for citizenship.⁵⁰

20. HR Committee recommended that Maldives: accelerate the enactment of the anti-discrimination legislation under consideration by the Parliament, and ensure it includes a prohibition of discrimination on the basis on sexual orientation; and combat the stigmatization and marginalization of homosexuals in society.⁵¹ Reporting that individuals suspected or perceived as homosexuals or transgender faced intimidation and overt threats, UNFPA recommended that Maldives ensure protection from human rights violations based on sexual orientation and gender identity, including through law reform to prevent hate crimes, as well as sensitization of judiciary, policy, health and other service providers.⁵²

B. Right to life, liberty and security of the person

21. In 2012, the HR Committee expressed concern at a draft amendment to the Clemency and Pardoning Act, which would prevent the President from granting clemency. While noting that Maldives had adopted a moratorium on the death penalty, HR Committee recommended that Maldives consider abolishing the death penalty, ratifying ICCPR-OP2 and remove mandatory death penalties from its statutes.⁵³

22. In 2014, the High Commissioner for Human Rights reported that Maldives had observed a moratorium on the death penalty for 60 years and reaffirmed its commitment to maintain it during its first universal periodic review in 2010. Noting a new regulation which provided for the use of the death penalty for the offence of intentional murder, including when committed by individuals under the age of 18, the Government was urged to retain its moratorium on the use of the death penalty in all circumstances, particularly in cases that involved juvenile offenders and to work towards abolishing the practice altogether.⁵⁴

23. Concerned at reported cases of torture, HR Committee recommended that Maldives take steps to combat torture and ill-treatment in its all forms and prohibit it in its legislation. Expressing concern at information that human rights violations, including torture, were committed by the Police during the arrest and detention of protestors in the course of the demonstrations of 8 February 2012, HR Committee recommended that Maldives investigate all allegations of torture that took place on 8 February 2012, in Malé and Addu, prosecute those responsible, and provide compensation and rehabilitation to the victims.⁵⁵
24. Particularly concerned at reported cases of excessive use of force by the Police and the National Defence Forces during demonstrations, including in 2012, HR Committee recommended that Maldives investigate incidents which occurred in the State party, in particular during the 2012 demonstrations, and prosecute and bring the Police and Defence Forces officers responsible to justice.⁵⁶
25. HR Committee was concerned at the persistence of domestic violence.⁵⁷ UNDP indicated that, while the law on Domestic Violence was ratified in 2012, the shelters required under the law were yet to be established. Family and Child Service Centres were unable to cater to the demand for safe shelter.⁵⁸ UNDP noted that the Sexual Offences Act 2014 for the first time criminalized marital rape.⁵⁹ UNFPA noted that the Government created awareness on gender-based violence and the Domestic Violence Prevention Act through outreach in cooperation with civil society.⁶⁰
26. UNDP recommended that Maldives improve resource allocations to government agencies mandated with gender responsibility and for the implementation of laws tackling violence against women.⁶¹ Regarding domestic violence, HR Committee further recommended that Maldives facilitate complaints from victims without fear of reprisals intimidation or exclusion by the community; investigate, prosecute and punish those responsible; and provide compensation to victims.⁶²
27. UNFPA stated that sex out of wedlock was an offence according to the Sexual Offences Act.⁶³ UNFPA reported that criminalization of pregnancy out of wedlock included underage girls falling pregnant as a result of abuse, which led to expulsion from school. There had also been media reports of infanticide.⁶⁴
28. In 2013, three special procedure mandate holders noted that, according to information received, a number of cases of sexually abused minors sentenced to flogging on charges of fornication had been reported in the news media.⁶⁵ In 2011, the High Commissioner stated that by continuing to carry out floggings, albeit only occasionally, Maldives was in breach of its obligations under several international treaties and that it should be possible for the Government and the judiciary to engineer a practical moratorium on flogging.⁶⁶ HR Committee recommended that Maldives abolish flogging and explicitly prohibit corporal punishment in all institutional settings.⁶⁷
29. Reporting that in 2014, the Vice-President of Fiqh Academy called for female genital mutilation (FGM), while the former Maldivian Vice-President Dr. Waheed had previously expressed concern about FGM, UNFPA recommended that Maldives continue to inform about the implications of FGM, including as a violation of women's right to physical integrity, health and security; and establish explicit legal protection against FGM.⁶⁸
30. UNHCR highlighted the adoption of the anti-trafficking law in 2013 as a huge stepping stone to address numerous migration challenges. The law criminalized human trafficking and offences such as forced labour and fraudulent recruitment as acts of human trafficking.⁶⁹ Concerned at trafficking in migrants from neighbouring countries for labour and sexual exploitation purposes, HR Committee recommended, *inter alia*, that Maldives adopt a national plan of action on trafficking in persons; and investigate instances of trafficking and prosecute those responsible and provide protective measures, rehabilitation and compensation to victims.⁷⁰

C. Administration of justice, including impunity, and the rule of law

31. UNDP reported that the judiciary had become a major point of tension and disagreement with political parties in the country and had caused challenges to the consolidation of democracy in addition to the lack of public trust in the judicial system. During the Presidential Elections of 2013, the Supreme Court became highly politicized in deciding the cases that were filed regarding the validity of election results. This eventually led to the removal of the Chair and Vice-Chair of the Elections Commission under a regulation promulgated by the court to try cases on its own motion for contempt of court.⁷¹ In 2013, the Special Rapporteur on the independence of judges and lawyers sent a communication. She expressed concern that the Supreme Court was subverting the democratic process by interfering in the functions of the Elections Commission, an independent body established in the Constitution, in charge of conducting, managing, supervising and declaring the results of elections.⁷²

32. In 2013, the High Commissioner stated that judges should act in accordance with the principles of impartiality, propriety, equality and due diligence, as reflected in the Basic Principles on the Independence of Judiciary, the Bangalore Principles of Judicial Conduct, and the country's own judicial code of conduct. The High Commissioner observed that the Supreme Court had threatened to charge lawyers and media with contempt of court for challenging the court's decisions. The Supreme Court appeared set on undermining independent institutions, stifling criticism and public debate, and depriving litigants of the legal representation of their choice. She also expressed concern at the Government's threats to dissolve civil society organizations for criticizing the judiciary, and the reactivation of old cases to arrest opposition members of Parliament or bar them from Parliament. The High Commissioner stated that whoever won the election should embark on fundamental reforms to the judiciary to safeguard the progress of Maldives in democracy and rule of law.⁷³

33. In 2012, HR Committee expressed concern that the composition and the functioning of the Judicial Service Commission (JSC) seriously compromised the realization of measures to ensure the independence of the judiciary.⁷⁴ In 2013, the Special Rapporteur on the independence of judges and lawyers noted reports that the current composition of JSC was inadequate and politicized.⁷⁵ With respect to the vetting process, the Special Rapporteur indicated that JSC opted for interpreting article 285 of the Constitution in a symbolic way and did not scrutinize judges' qualifications thoroughly.⁷⁶ UNDP recommended that the current composition and functioning of the JSC be revised in line with international principles of independence and accountability of the judiciary; all allegations of misconduct in the judiciary, including corruption, be properly investigated under previously set, clear and transparent rules and appropriate measures taken to enforce the code of conduct of judges in a transparent and consistent manner.⁷⁷

34. In 2014, the Special Rapporteur on the independence of judges and lawyers expressed concern at the removal of two Supreme Court justices. The procedure followed by JSC, for the removal of the two Supreme Court justices, was characterized by a lack of transparency and due process. The decision seriously undermined the judiciary. The Rapporteur indicated that since her visit in 2013 there had been a serious deterioration in respect for the rule of law and independence of the judiciary.⁷⁸ In 2013, The Special Rapporteur was further concerned that the Supreme Court was perceived as not following due process in many of its decisions. It was also troubling that some of the Supreme Court's interventions were perceived as arbitrary and as serving the judges' own personal interests.⁷⁹

35. In 2013, the Special Rapporteur indicated that the concept of independence of the judiciary had been misconstrued and misinterpreted in Maldives, including among judicial

actors.⁸⁰ UNDP also reported that one of the major political incidents to note between the executive and judiciary was the unlawful detention of the Chief Judge of the Criminal Court Abdulla Mohamed in January 2012 by the then President alleging the judge had been interfering with the investigations of corruption related to a number of powerful politicians.⁸¹ The Special Rapporteur recommended that Maldives engage in a dialogue between the three branches of Government to address the challenges to the independence of the judiciary and the proper functioning of the justice system.⁸²

36. The Special Rapporteur noted reports that, in practice, sharia was widely applied by lower courts, giving rise to serious inconsistencies in jurisprudence.⁸³ In 2013, the Special Rapporteur on the independence of judges and lawyers sent a communication regarding alleged interferences with, and pressure on, the independence of lower courts and tribunals in Maldives. She noted information according to which HRCM had developed a court/trial monitoring programme for judges and magistrates. The Supreme Court's Judges Council allegedly barred HRCM from conducting the training programme.⁸⁴

37. UNDP reported that the Supreme Court of Maldives had embarked on the task of developing a continuous judicial education curriculum for the judiciary with the support of UNDP. The lack of a comprehensive training programme had been highlighted by many as a constraint in effectively dispensing justice under the new Constitution. The education curriculum was expected to remedy that issue.⁸⁵ UNDP recommended that judges, magistrates, prosecutors and lawyers should have access to quality education, including continuing education and specialized training on international human rights law and mechanisms, constitutional law, comparative law, women's rights and gender equality, among others.⁸⁶

38. UNDP pointed to the precarious situation of women in the justice system as a serious gap in the legal system.⁸⁷ In 2011, the High Commissioner noted that only five of the country's almost 200 judges and magistrates were women.⁸⁸ The Special Rapporteur on the independence of judges and lawyers indicated that measures to improve the representation of women in the judiciary needed to be taken urgently, and gender discrimination in the justice system must be eliminated, including through training.⁸⁹

39. Concerned that suspects might be detained for a period exceeding 48 hours without appearing before a judge and without charge, HR Committee recommended that Maldives provide legal guarantees to suspects detained. HR Committee recommended that Maldives reduce the high rate of overcrowding in its prisons, including by shortening the period of pretrial detention and by using alternative measures to the deprivation of liberty; and establish a complaint mechanism for inmates regarding their conditions of detention.⁹⁰

40. HR Committee recommended that Maldives review the composition of the Police Integrity Commission to ensure that its independence is guaranteed.⁹¹ Concerned at reported cases of torture and ill-treatment by Police and National Defence Forces that occurred in Maldives prior to 2008 which had not all been investigated, HR Committee recommended that Maldives consider setting up an independent commission of inquiry to investigate all human rights violations that took place prior to 2008 and provide compensation to the victims.⁹²

D. Right to privacy, marriage and family life

41. According to UNDP, the Family Law undermined the right of free choice for women as they required consent of their guardian or the closest male kin from the paternal side in order to enter into a marriage. Furthermore, the law allowed for polygamy which was also discriminatory, impacting on women's security and dignity.⁹³ UNDP recommended that Maldives conduct a comprehensive review of the existing family law

and make amendments to the legislation in line with CEDAW and other international obligations.⁹⁴

42. HR Committee recommended that Maldives decriminalize sexual relations between consenting adults of the same sex.⁹⁵

E. Freedom of religion or belief, expression, association and peaceful assembly, and right to participate in public and political life

43. In 2011, the High Commissioner expressed concern at the reported rise in religious intolerance among a small but intimidating minority in Maldives, and the impact that this was having on women. Religious intolerance had also manifested itself in disturbing acts, such as the destruction and defacement by extremists of symbols and monuments at the recent SAARC Summit, and the closing down of a blog by the Ministry of Islamic Affairs because of the religious views of its creator.⁹⁶ HR Committee recommended that Maldives revise its legislation to authorize non-Muslims to practise and manifest their religion, including in places of public worship, abolish the crime of apostasy in its legislation and allow Maldivians to fully enjoy their freedom of religion.⁹⁷ CERD recommended that Maldives develop means for promoting mutual understanding, tolerance and interreligious dialogue in the Maldivian society which will help to confront religious extremism and enhance cultural diversity.⁹⁸

44. UNDP stated that journalists reporting on gang violence and related issues and issues perceived as sensitive regarding religion had faced death threats. While 15 journalists received death threats, one journalist, Ahmed Rilwan had been missing since August 2014.⁹⁹ HR Committee recommended Maldives to fully guarantee the right to freedom of expression in all its forms and avoid any kind of illegal interference in the media, including by refraining from the use of force against journalists. Maldives should protect journalists and media against any form of violence and censorship. Maldives should investigate incidents of attacks on journalists and media, and bring those responsible to justice.¹⁰⁰

45. According to UNDP, the passage of the Access to Information Act was an important step by the country in promoting transparency and allowing citizen's access to information which can help improve accountability of key officials. An independent information commissioner had been appointed to oversee the implementation of the Act.¹⁰¹

46. UNDP reported that civil society organizations had faced various forms of threats that impeded their operation. One of the major organizations, Transparency Maldives, had reportedly faced threats of dissolution by the Registrar of Associations, while individuals had allegedly made death threats against their staff. Similarly, the Maldivian Democracy Network had their offices ransacked and confidential documents stolen. No case with regard to threats against civil society had yet been prosecuted.¹⁰² In 2014, the Special Rapporteur on human rights defenders raised related concerns and urged the Government to take the necessary measures to ensure that an environment exists in which human rights defenders are able to carry out their activities without fear of persecution or restriction of any sort.¹⁰³

47. Reporting that a civil society organization, with the endorsement of the Attorney-General, had been able to come up with new draft legislation on associations, UNDP recommended that Maldives expedite the passing of the new Associations Act that can create an enabling environment for civil society.¹⁰⁴

48. UNDP reported that the Freedom of Peaceful Assembly Act of 2013 placed limitations on places of assembly and on media covering the protests and added administrative hurdles to assembly.¹⁰⁵ HR Committee recommended that Maldives fully

guarantee the right to freedom of assembly in compliance with ICCPR and revise its legislation accordingly. Maldives should also adopt procedures and regulations in compliance with human rights standards for the police in controlling large crowds of protestors.¹⁰⁶

49. Noting the legal and political circumstances which resulted in the resignation of the former President of Maldives, on 7 February 2012, and the transfer of power to the new President, HR Committee recommended that Maldives ensure that: the rights contained in article 25 of the ICCPR are fully protected; and the Commission of Inquiry set up to investigating the circumstances surrounding the transfer of power can carry out its functions in complete independence and impartiality.¹⁰⁷

50. Referring to elections held in 2013, the High Commissioner for Human Rights stated that the Supreme Court nullified the first round of the Presidential Election of 7 September 2013 on the basis of irregularities in the process, despite the general conclusions by national and international observers that the election was free and fair. The court also imposed on the Elections Commission an onerous set of guidelines for the conduct of the election, which would be difficult to satisfy. It was on that basis that police prevented the Elections Commission from carrying out its plan to re-run the election on 19 October 2013. The High Commissioner also reported that during the period of Presidential elections the Government was also taking arbitrary action against its opponents to prevent their participation in parliamentary debates. She expressed alarm at death threats and other intimidation directed at members and staff of HRCM and civil society actors, as well as an arson attack in October 2013 on an opposition television station.¹⁰⁸

F. Right to health

51. UNFPA reported on the social condemnation and criminalization of out-of-wedlock pregnancy, and on media reports of infanticide and that 2 of the 19 maternal deaths between 2009 and 2012 was reportedly caused by unsafe abortions.¹⁰⁹ UNFPA recommended that Maldives promote family planning and contraception through public health outreach and other means; remove condoms from the Schedule 3 drugs list; promote choice between a broader range of contraceptive methods, especially for remote islands; and investigate and address barriers for access to family planning, in particular those experienced by adolescents and youth, unmarried women and marginalized and excluded population groups such as persons with disabilities, LGBT, sex workers, etc.¹¹⁰

G. Right to education

52. UNESCO recommended that Maldives adopt specific measures to further promote inclusive education.¹¹¹

H. Migrants, refugees and asylum seekers

53. In 2011, the High Commissioner stated that migrant workers were often abused, exploited and cheated of their hard-earned income by traffickers and unscrupulous employers in Maldives.¹¹² UNHCR referred to estimates that nearly a third of the population of Maldives of 300,000 were migrant workers, up to 50,000 of which had irregular status. They mainly entered the construction and service sector.¹¹³ CERD recommended that Maldives continue to take measures to eliminate discrimination against non-citizens in relation to working conditions and work requirements.¹¹⁴

54. HR Committee recommended that Maldives adopt legislation to ensure respect for the principle of non-refoulement.¹¹⁷

I. Internally displaced persons

55. In 2012, the Special Rapporteur on the human rights of internally displaced persons concluded that a national framework on internally displaced persons was necessary in order to complement initiatives already adopted.¹¹⁶

56. While commending efforts for making protection and assistance to those displaced in the aftermath of the 2004 tsunami a national priority,¹¹⁷ the Special Rapporteur also recommended that Maldives urgently review the situation of those currently still displaced and living in temporary shelters in order to address their dire living conditions and assist them in rebuilding their lives.¹¹⁸

J. Right to development, and environmental issues

57. The Special Rapporteur on internally displaced persons commended the Government for its leadership at the international level in highlighting the impact of climate change and promoting more environmentally sustainable development models. The Special Rapporteur indicated that climate change and other factors related to the nature of small low-lying island environments in Maldives were already affecting the livelihoods and rights of residents of many islands, including the right to housing, safe water, health and an adequate standard of living. The Special Rapporteur recommended that increased national attention, dialogue and commitment to address issues related to internal displacement should now be a priority.¹¹⁹

Notes

¹ Unless indicated otherwise, the status of ratification of instruments listed in the table may be found on the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://treaties.un.org/>. Please also refer to the United Nations compilation on Maldives from the previous cycle (A/HRC/WG.6/9/MDV/2/Rev.1).

² The following abbreviations have been used in UPR documents:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination;
ICESCR	International Covenant on Economic, Social and Cultural Rights;
OP-ICESCR	Optional Protocol to ICESCR;
ICCPR	International Covenant on Civil and Political Rights;
ICCPR-OP 1	Optional Protocol to ICCPR;
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty;
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women;
OP-CEDAW	Optional Protocol to CEDAW;
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
OP-CAT	Optional Protocol to CAT;
CRC	Convention on the Rights of the Child;
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict;
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography;
OP-CRC-IC	Optional Protocol to CRC on a communications procedure;
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;
CRPD	Convention on the Rights of Persons with Disabilities;
OP-CRPD	Optional Protocol to CRPD;
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance

³ Individual complaints: ICCPR-OP 1, art. 1; OP-CEDAW, art. 1; OP-CRPD, art. 1; OP-ICESCR, art. 1; OP-CRC-IC, art. 5; ICERD, art. 14; CAT, art. 22; ICRMW, art. 77; and ICPPED, art. 31. Inquiry procedure: OP-CEDAW, art. 8; CAT, art. 20; ICPPED, art. 33; OP-CRPD, art. 6; OP-ICESCR, art. 11; and OP-CRC-IC, art. 13. Inter-State complaints: ICCPR, art. 41; ICRMW, art. 76; ICPPED, art. 32; CAT, art. 21; OP-ICESCR, art. 10; and OP-CRC-IC, art. 12. Urgent action: ICPPED, art. 30.

⁴ Information relating to other relevant international human rights instruments, including regional instruments, may be found in the pledges and commitments undertaken by Maldives before the Human Rights Council, as contained in the note verbale dated 28 August 2013 sent by the Permanent Mission of Maldives to the United Nations addressed to the President of the General Assembly, A/68/359, annex.

⁵ Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Geneva Convention relative to the Treatment of Prisoners of War (Third Convention); Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II). For the official status of ratifications, see International Committee of the Red Cross, www.icrc.org/IHL.

⁶ International Labour Organization Forced Labour Convention, 1930 (No. 29); Abolition of Forced Labour Convention, 1957 (No. 105); Freedom of Association and Protection of the Right to Organise

- Convention, 1948 (No. 87); Right to Organise and Collective Bargaining Convention, 1949 (No. 98); Equal Remuneration Convention, 1951 (No. 100); Discrimination (Employment and Occupation) Convention, 1958 (No. 111); Minimum Age Convention, 1973 (No. 138); Worst Forms of Child Labour Convention, 1999 (No. 182).
- ⁷ Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.
- ⁸ Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see International Committee of the Red Cross, www.icrc.org/IHL.
- ⁹ 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 1954 Convention relating to the Status of Stateless Persons, and 1961 Convention on the Reduction of Statelessness.
- ¹⁰ International Labour Organization, Indigenous and Tribal Peoples Convention, 1989 (No. 169); and Domestic Workers Convention, 2011 (No. 189).
- ¹¹ See also statement of the United Nations High Commissioner for Human Rights, 24 November 2011, Male, Maldives. Available from www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=11641&LangID.
- ¹² Concluding observations of the Committee on the Elimination of Racial Discrimination, CERD/C/MDV/CO/5-12, para. 11.
- ¹³ *Ibid.*, para. 18.
- ¹⁴ Concluding observations of the Human Rights Committee, CCPR/C/MDV/CO/1, para. 5.
- ¹⁵ CERD/C/MDV/CO/5-12, para. 6.
- ¹⁶ CCPR/C/MDV/CO/1, para. 6.
- ¹⁷ Report of the Special Rapporteur on the independence of judges and lawyers, A/HRC/23/43/Add.3, para. 106.
- ¹⁸ UNDP, submission for the UPR of Maldives, part IV, recommendations, p. 2. See also, para. 5.
- ¹⁹ *Ibid.*, paras. 5 and 6 and part IV, recommendations, p. 2.
- ²⁰ According to article 5 of the rules of procedure of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC) Sub-Committee on Accreditation, the classifications for accreditation used by the Sub-Committee are: A: Voting Member (fully in compliance with each of the Paris Principles), B: Non-Voting Member (not fully in compliance with each of the Paris Principles or insufficient information provided to make a determination), C: No Status (not in compliance with the Paris Principles).
- ²¹ For the list of national human rights institutions with accreditation status granted by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC), see A/HRC/27/40, annex.
- ²² CCPR/C/MDV/CO/1, para. 7.
- ²³ CERD/C/MDV/CO/5-12, para. 9.
- ²⁴ *Ibid.*, para. 17.
- ²⁵ UNFPA, submission for the UPR of Maldives, p. 1.
- ²⁶ See press briefing on Maldives, available from www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15178&LangID=E.
- ²⁷ CCPR/C/MDV/CO/1, para. 26.
- ²⁸ The following abbreviations may have been used in UPR documents:
- | | |
|--------------|---|
| CERD | Committee on the Elimination of Racial Discrimination; |
| CESCR | Committee on Economic, Social and Cultural Rights; |
| HR Committee | Human Rights Committee; |
| CEDAW | Committee on the Elimination of Discrimination against Women; |
| CAT | Committee against Torture; |
| CRC | Committee on the Rights of the Child; |
| CMW | Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families; |
| CRPD | Committee on the Rights of Persons with Disabilities; |
| CED | Committee on Enforced Disappearances; |
| SPT | Subcommittee on Prevention of Torture. |
- ²⁹ CERD/C/MDV/CO/5-12, para. 21.
- ³⁰ CCPR/C/MDV/CO/1, para. 28.

- ³¹ Letter from HR Committee to the Permanent Mission of Maldives to the United Nations Office and other international organizations in Geneva, dated 28 April 2014, available from: http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/MDV/INT_CCPR_FUL_MDV_17222_E.pdf.
- ³² Press releases, "The Maldives: UN torture prevention body makes follow-up visit" and "Maldives UN torture prevention body concludes its follow-up visit". Available from www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15380&LangID=E and www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15415&LangID=E (accessed on 14 January 2015).
- ³³ For the titles of special procedures, see www.ohchr.org/EN/HRBodies/SP/Pages/Themes.aspx and www.ohchr.org/EN/HRBodies/SP/Pages/Countries.aspx.
- ³⁴ UNFPA submission, pp. 1 and 2.
- ³⁵ See information available from www.ohchr.org/EN/countries/AsiaRegion/Pages/MVIndex.aspx.
- ³⁶ Statement of the United Nations High Commissioner for Human Rights, 24 November 2011, Malé, Maldives.
- ³⁷ CCPR/C/MDV/CO/1, para. 3.
- ³⁸ UNDP submission, para. 20.
- ³⁹ Ibid., paras. 23 and 24.
- ⁴⁰ Ibid., part VIII, recommendations, p. 5.
- ⁴¹ UNFPA submission, section on marriages under 18 years, p. 4.
- ⁴² CCPR/C/MDV/CO/1, para. 12. See also CEDAW list of issues, CEDAW/C/MDV/Q/4-5, para. 20.
- ⁴³ Statement of the United Nations High Commissioner for Human Rights, 24 November 2011, Malé, Maldives.
- ⁴⁴ UNDP submission, para. 20.
- ⁴⁵ CCPR/C/MDV/CO/1, para. 10.
- ⁴⁶ CERD/C/MDV/CO/5-12, para. 4.
- ⁴⁷ Ibid., para. 8.
- ⁴⁸ Ibid., para. 21.
- ⁴⁹ Ibid., para. 10.
- ⁵⁰ CCPR/C/MDV/CO/1, para. 9.
- ⁵¹ Ibid., para. 8.
- ⁵² UNFPA submission, p. 2.
- ⁵³ CCPR/C/MDV/CO/1, para. 13.
- ⁵⁴ Press briefing. Available from www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14544&LangID=E.
- ⁵⁵ CCPR/C/MDV/CO/1, para. 14.
- ⁵⁶ Ibid., para. 23.
- ⁵⁷ Ibid., para. 11.
- ⁵⁸ UNDP submission, para. 21.
- ⁵⁹ Ibid., para. 20.
- ⁶⁰ UNFPA submission, p. 3.
- ⁶¹ UNDP submission, section VIII, recommendations, p. 5.
- ⁶² CCPR/C/MDV/CO/1, para. 11.
- ⁶³ UNFPA submission, section on sexual orientation and gender identity, p. 2.
- ⁶⁴ Ibid., section on family planning, p. 3.
- ⁶⁵ Communications report of special procedures, A/HRC/23/51, p. 72.
- ⁶⁶ Statement of the United Nations High Commissioner for Human Rights, 24 November 2011, Malé, Maldives.
- ⁶⁷ CCPR/C/MDV/CO/1, para. 16.
- ⁶⁸ UNFPA submission, section on youth and adolescent sexual health and recommendations, p. 5.
- ⁶⁹ UNHCR, submission for the UPR of Maldives, p. 2.
- ⁷⁰ CCPR/C/MDV/CO/1, para. 17. See also CERD/C/MDV/CO/5-12, para. 12.
- ⁷¹ UNDP submission, para. 2.
- ⁷² Communications report of special procedures, A/HRC/25/74, p. 119.
- ⁷³ Statement by the High Commissioner for Human Rights, 2013. Available from www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=13917&LangID=E.
- ⁷⁴ CCPR/C/MDV/CO/1, para. 20.

- ⁷⁵ A/HRC/23/43/Add.3, para. 44.
- ⁷⁶ *Ibid.*, para. 50.
- ⁷⁷ UNDP submission, section IV, recommendations, p. 2.
- ⁷⁸ Press release "Maldives: Arbitrary removal of Supreme Court judges deeply concerned, UN expert warns". Available from www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15446&LangID=E.
- ⁷⁹ A/HRC/23/43/Add.3, paras. 38 and 39.
- ⁸⁰ *Ibid.*, para. 38.
- ⁸¹ UNDP submission, para. 9.
- ⁸² A/HRC/23/43/Add.3, para. 100.
- ⁸³ *Ibid.*, para. 34.
- ⁸⁴ A/HRC/25/74, p. 107.
- ⁸⁵ UNDP submission, para. 4.
- ⁸⁶ *Ibid.*, section IV, recommendations, p. 2.
- ⁸⁷ *Ibid.*, para. 2.
- ⁸⁸ Statement of the United Nations High Commissioner for Human Rights, 24 November 2011, Malé, Maldives.
- ⁸⁹ A/HRC/23/43/Add.3, paras. 118 and 119.
- ⁹⁰ CCPR/C/MDV/CO/1, paras. 18 and 19.
- ⁹¹ *Ibid.*, para. 15.
- ⁹² *Ibid.*, para. 14.
- ⁹³ UNDP submission, para. 25.
- ⁹⁴ *Ibid.*, p. 5.
- ⁹⁵ CCPR/C/MDV/CO/1, para. 8.
- ⁹⁶ Statement of the United Nations High Commissioner for Human Rights, 24 November 2011, Malé, Maldives.
- ⁹⁷ CCPR/C/MDV/CO/1, para. 24.
- ⁹⁸ CERD/C/MDV/CO/5-12, para. 13.
- ⁹⁹ UNDP submission, para. 15.
- ¹⁰⁰ CCPR/C/MDV/CO/1, para. 22.
- ¹⁰¹ UNDP submission, para. 13.
- ¹⁰² *Ibid.*, para. 14.
- ¹⁰³ Report of the Special Rapporteur on the situation of human rights defenders, A/HRC/25/55/Add.3, para. 276.
- ¹⁰⁴ UNDP submission, para. 12, and section IV, recommendations, p. 3.
- ¹⁰⁵ *Ibid.*, para. 16.
- ¹⁰⁶ CCPR/C/MDV/CO/1, para. 23.
- ¹⁰⁷ *Ibid.*, para. 25.
- ¹⁰⁸ Statement of the United Nations High Commissioner for Human Rights, 30 October 2013.
- ¹⁰⁹ UNFPA submission, section on family planning, p. 3.
- ¹¹⁰ *Ibid.*, section on family planning, recommendations, p. 4.
- ¹¹¹ UNESCO, submission for the UPR of Maldives, para. 22.3.
- ¹¹² Statement of the United Nations High Commissioner for Human Rights, 24 November 2011, Malé, Maldives.
- ¹¹³ UNHCR submission, p. 1.
- ¹¹⁴ CERD/C/MDV/CO/5-12, para. 11.
- ¹¹⁵ CCPR/C/MDV/CO/1, para. 21.
- ¹¹⁶ Report of the Special Rapporteur on the human rights of internally displaced persons, A/HRC/19/54/Add.1, p. 1, and para. 71.
- ¹¹⁷ *Ibid.*, p. 1, and para. 68.
- ¹¹⁸ *Ibid.*, para. 71 (j). See also UNHCR submission, p. 5.
- ¹¹⁹ *Ibid.*, paras. 67-69.



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Maldives*

The present report is a summary of 15¹ stakeholders' submissions to the universal periodic review. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. As provided for in Human Rights Council resolution 16/21, where appropriate, a separate section is provided for contributions by the national human rights institution of the State under review that is accredited in full compliance with the Paris Principles. The full texts of all submissions received are available on the OHCHR website. The report has been prepared taking into consideration the periodicity of the review and developments during that period.

* The present document was not edited before being sent to United Nations translation services.

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Information provided by stakeholders

A. Background and framework

1. Scope of international obligations²

1. Amnesty International (AI) reported that the Maldives had taken steps to implement some recommendations made during its previous UPR,³ which included accession to the Rome Statute of the International Criminal Court.⁴
2. Transparency Maldives (TM) referred to positive actions taken by the Government to implement UPR recommendations,⁵ including the ratification of ILO fundamental conventions and recommended that Maldives bring its domestic law in line with international human rights commitments.⁶ TM appreciated the Government for voicing its commitment to accede to ICRMW⁷ and Joint Submission 1 (JS1) recommended that Maldives not delay any further the ratification of ICRMW.⁸
3. Commonwealth Human Rights Initiative (CHRI) recommended that the Government work towards ratifying ICCPR OP-2 and abolishing the death penalty.⁹
4. Maldivian Democracy Network (MDN) recommended that the Maldives immediately accede to ICCPED.¹⁰
5. Referring to Maldives' voluntary commitment in its candidature for election to the Human Rights Council,¹¹ Advocating the Rights of Children (ARC) recommended that the Government promptly ratify OP-CRC-IC and Palermo Protocol.¹²
6. Welcoming as a positive development that Maldives partially accepted recommendations to withdraw its reservation to article 21 of the CRC,¹³ ARC recommended that the reservation made to that Article be reviewed with a view to withdrawing or limiting it.¹⁴
7. According to JS4, Maldives continued to retain reservations to Article 16 of CEDAW, despite having partially accepted the recommendations¹⁵ to lift the reservations during the first UPR cycle in 2011.¹⁶ Human Rights Commission of the Maldives (HRCM) recommended that Maldives remove the reservations to Article 16.¹⁷

2. Constitutional and legislative framework

8. Regarding the review period, ARC pointed out that within the space of three years, three different governments came to power with varying levels of consideration being given to Maldives' human rights obligations.¹⁸
9. Noting the announced "legislative agenda 2014-2018" in 2013, TM called upon Maldives to speedily assess reforms of existing legislation, and ensure that any new legislation contained within the agenda are fully compliant with international human rights commitments.¹⁹
10. ARC reported that while the new Penal Code, which would come into effect in 2015, was a remarkable improvement on its predecessor, some provisions in the Code fell short of Maldives' international commitments. For example, minors could still be sentenced to death.²⁰
11. HRCM recommended that Maldives enact the evidence bill, witness protection bill, criminal procedure code and the juvenile justice bill;²¹ and enact important laws leaving no room for inconsistencies in judicial decision-making.²²

3. Institutional and human rights infrastructure and policy measures

12. AI reported that following the publication, in September 2014, of the HRCM submission for the upcoming UPR of Maldives, the Supreme Court summoned the HRCM.²³ AI recommended that Maldives guarantee the independence of the HRCM to carry out its work free from political interference or any intimidation by the authorities.²⁴

B. Cooperation with human rights mechanisms

13. According to International Service for Human Rights (ISHR), the Ministry of Foreign Affairs set up a coordinating committee during the first cycle of the UPR to ensure the involvement of civil society. However, only one meeting had been held after the UPR Working Group in November 2011.²⁵ AI recommended that Maldives ensure that relevant stakeholders can participate freely in the UPR process.²⁶

Cooperation with special procedures

14. Noting that two country visits had been undertaken since the last UPR,²⁷ CHRI recommended that the Government implement the recommendations of the Special Rapporteurs on the human rights of Internally Displaced Persons and on independence of judges and lawyers.²⁸

15. With a view to addressing on-going challenges on the ground, ISHR recommended that Maldives extend invitations to particular Special Rapporteurs, including on freedom of expression.²⁹

C. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Equality and non-discrimination

16. Consistent with recommendations made during the previous review,³⁰ JS4 reported on an important development with the preparation of the draft gender equality law. The bill seeks to increase compliance of domestic legislation with CEDAW, is supportive of temporary special measures to increase women's participation in all areas. However, a gender equality policy had yet to be determined. Gender mainstreaming had been a policy strategy in the past, although its current status was unclear. JS4 recommended that Maldives expedite the process to pass the draft gender equality law and establish clear policies on gender equality with a focus on gender mainstreaming.³¹

17. JS4 reported that women's participation in the media was significant although women were largely absent in leadership positions.³² JS4 made recommendations to address concerns regarding the stereotyping of women in the media, with victim-blaming a worrying trend, and lack of a regulatory framework to monitor dissemination of such content.³³

18. HRCM stated that conservative beliefs promoting women as inferior to men were being spread at an alarming level. HRCM referred to reports of unregistered marriages encouraged by some religious scholars claiming that registering marriages with the Courts were un-Islamic and unnecessary. State institutions acknowledged this information and raised concerns that children born to such marriages could face serious legal issues. Similarly, women in such marriages were bound to face social and legal consequences.³⁴ JS1 made recommendations to address those issues, including that the Government, in public consultation and in collaboration with civil society, conduct a full review of the

Family Law,³⁵ according to which girls and women were subject to the will of their paternal guardians.³⁶

19. HRCM indicated that children born out of wedlock faced discrimination and as paternity testing was not admissible evidence in court such children would be denied father's name, inheritance and child maintenance.³⁷

20. AI stated that the Constitution required Maldivian citizens to be Muslims and blocked right to citizenship for Maldivians who professed no belief or adhered to other religious beliefs. The Constitution sanctioned further discrimination against branches of Islam by stipulating that only "a Muslim and a follower of a Sunni school of Islam" can be the president, a cabinet minister, a judge or a member of parliament.³⁸ AI recommended that Maldives: withdraw the reservation to Article 18 of ICCPR; remove provisions in national legislation that restrict freedom of thought, conscience and religion, including Article 9.d of the Constitution, which bar non-Muslims from being Maldivian citizens.³⁹

2. Right to life, liberty and security of the person

21. AI indicated that Maldives had only accepted to commit to maintaining a moratorium on the death penalty⁴⁰ and that limited commitment now appeared to be jeopardized.⁴¹ Child Rights International Network (CRIN) reported that the new Penal Code adopted in 2014 still allowed for children to be sentenced to death for certain crimes.⁴² CHRI referred to new regulations adopted in 2014 on Investigation and Execution of Sentence for Wilful Murder.⁴³ According to JSI, the regulation stated that the convicted may be executed by lethal injection provided that the Supreme Court upheld the death sentence, and all heirs of the victim desired *qisaas*.⁴⁴ CHRI reported that an amendment to the Clemency Act had removed the Presidential power to commute death sentences to life in prison.⁴⁵ Reporting that the State had yet to establish an independent forensic institution to provide accurate information to make an impartial decision on matters concerning administration of death penalty, HRCM recommended that Maldives establish such an institution and abolish the death penalty for minors.⁴⁶ JSI recommended that Maldives revoke the Regulation on the Implementation of the Death Penalty and revert to the long-held moratorium on the death sentence in Maldives.⁴⁷

22. HRCM stated that 21 murder cases were recorded since 2010, most of which were gang-related and referred to a study alleging that gang-related violence was mainly linked to politicians or business persons who paid gangs to carry out violent acts. HRCM recommended that Maldives take immediate action to eliminate gang-related violence; and develop long-term plans to ensure the security of persons.⁴⁸

23. CHRI noted that in 2014, the landmark Anti-Torture Act came into force, and that since the last UPR, the Prisons and Parole Act had become operational, setting out inmates' rights and providing for a prison regulatory body to oversee prison administration and discipline and facilitate a complaints mechanism.⁴⁹

24. JSI was gravely concerned that reports of torture in prisons and detention centres had begun to increase.⁵⁰ HRCM reported that a total of 304 torture allegations had been lodged at HRCM, of which 74 had been investigated from 2010 to July 2014. However, none of those cases were sent to prosecution due to lack of sufficient evidence.⁵¹

25. AI referred to the alleged violent campaign of police officers against the Maldivian Democratic Party members during the period when former President Nasheed resigned in controversial circumstances in 2012.⁵² JSI recommended that the Government fully comply with recommendations made by the Police Integrity Commission and the HRCM with regard to the actions of the police on 6-8 February 2012.⁵³ JSI also reported that excessive force was used against demonstrators during the electoral crisis of 2013.⁵⁴

26. AI reported that Maldives had failed to implement the accepted recommendations from a number of States to abolish flogging or to introduce a moratorium on flogging.⁶³ In only one case, that of a 15-year-old girl, did the Government mount a strong appeal to the High Court against a flogging sentence, which led to her acquittal.⁶⁴ JSI noted that women continued disproportionately to receive flogging sentences.⁶⁵ JS4 referred to data from the Criminal Court that between 2005 and 2011, in 85 percent of cases, *hadd* punishment for adultery affected women.⁶⁶ JSI and AI indicated that the punishment was often meted out on the basis of confessions, and women confessed more than men.⁶⁷ AI recommended that Maldives impose an immediate moratorium on flogging, with a view of abolishing it in law; and commute all sentences of flogging.⁶⁸

27. Global Initiative to End All Corporal Punishment of Children urged Maldives to use the opportunities presented by current law reforms, including the children's bill, to prohibit all forms of corporal punishment in all settings, including the home and as a criminal sentence.⁶⁹

28. HRCM indicated that in the State's only psychiatric institution, despite recommendations for change, geriatric patients, and patients enduring mental illnesses and persons with disabilities were accommodated without proper categorization.⁷⁰

29. HRCM reported that inappropriate disciplinary measures against children persisted in most institutions sheltering juveniles.⁷¹ ARC recommended that Maldives promptly approve and implement the National Minimum Standard Guidelines and Standard Operational Procedures for children's shelters to ensure that decisions are based on the best interests of the children.⁷²

30. JS4 reported that the ratification of the Domestic Violence Prevention Act in 2012 criminalising domestic violence was a historic development for women's rights.⁷³ JSI reported that victims and survivors of domestic violence systematically failed to get justice because the judicial system favoured confessional rather than forensic evidence.⁷⁴ HRCM also reported that lack of sensitivity among law enforcement and judiciary towards domestic violence (DV) were fundamental issues faced in implementing the DV Act.⁷⁵ JS4 recommended that Maldives: expedite establishing effective and functional women's shelters for victims of gender based violence, including DV; and establish an effective legal aid mechanism to support victims of gender based violence, including DV.⁷⁶

31. HRCM reported that violence against children took place in all settings. Only a small proportion of reported child abuse victims get justice due to systemic failures and challenges, including delays in obtaining evidence.⁷⁷ CHRI alleged that survivors of sexual abuse, accused of fornication (a *Hadd* offence), were sentenced to flogging.⁷⁸ MDN referred to reports of increasing: numbers of child marriages, refusal by parents to immunise children, female genital mutilation (FGM), and the growing number of girls being withdrawn from schools.⁷⁹ JSI expressed particular concern that FGM was encouraged and promoted in a statement of the Vice-President of the Fiqh Academy.⁸⁰

32. ARC recommended that the Maldives: complete the enactment of the draft child protection act in line with CRC, by including provisions to counter child, early and forced marriage;⁸¹ and repeal Article 14 of the Child Sex Abuse Offenders (Special Provisions) Act, which allegedly perpetuated and exacerbated child, early and forced marriage.⁸²

33. ARC commended Maldives for adopting the Prevention of Human Trafficking Act 2013 and recommended its full implementation through guidelines and procedures required by the Act to identify child victims of trafficking and to provide humanitarian and legal assistance to potential child victims.⁸³ Related recommendations were made by HRCM.⁸⁴

3. Administration of justice, including impunity, and the rule of law

34. Issues relating to the administration of justice were raised in about nine submissions.⁷⁷

35. AI stated that most judges were appointees of a former president and head of the judiciary, who held considerable power during his 30-year rule that ended in 2008. All judges serving on 7 August 2008, when the new Constitution came into force, were to be evaluated by the Judicial Service Commission (JSC) within two years and reappointed "in accordance with law". However, before such a law was passed, the JSC had drawn up its own regulations which enabled it to reappoint all judges without seriously scrutinizing their qualifications.⁷⁸

36. AI reported that since the last UPR, the government had taken no visible action to ensure that standards of judicial independence and impartiality were upheld and monitored. For instance, there had been no action to strengthen the impartiality of the JSC.⁷⁹ JSI recommended that the Government and Parliament expedite all necessary actions in order to fully implement Article 285 of the Constitution, amend the criterion for appointment of judges according to Article 149 of the Constitution, and hold accountable those in charge of conducting discipline of judges, namely the JSC.⁸⁰

37. TM reported that in February 2014, the Supreme Court instigated a contempt of court charge under its new *Suo Motu* regulation (court acts on its own initiative) against the Elections Commission members. In March 2014, the Supreme Court ruled to remove the Elections Commission President and Vice President from the Elections Commission. Their expulsion was reportedly contrary to the Constitutional provisions on dismissal of Elections Commission members. The ruling might derail constitutionally-guaranteed fundamental human rights protections such as the right to appeal. The larger implications of the Court's interpretations of contempt of court without strong procedures in place was that severe restrictions were placed on constitutionally guaranteed freedoms and violated principles of separation of powers and upholding the autonomy of independent commissions.⁸¹ TM recommended that Maldives: amend the *Suo Motu* regulation to ensure it does not violate fundamental rights principles; and refrain from misconstruing principles of judicial independence and ensure the principle of separation of powers is fully respected.⁸²

38. Regarding the lack of tolerance to criticism of the judiciary, ISHR reported that in January 2014, a prominent lawyer was found to be in contempt of court and suspended from all courts. He had allegedly questioned the Supreme Court verdict that invalidated the first round of results of the presidential election, stating that it was unconstitutional.⁸³ ISHR and JSI reported that the Supreme Court adopted new regulations criminalizing contempt of court in July 2014.⁸⁴

39. TM pointed out that during the review period, the executive interfered with judicial independence on a number of occasions, including the locking of the Supreme Court premises, the arrest of the chief judge of the criminal court in 2012, and the irregular conduct of the trial of President Nasheed in 2012.⁸⁵

40. MDN reported that the Registrar of NGOs announced the dissolution of the Bar Association of Maldives (a private initiative by local lawyers due to the absence of a statutory lawyers' regulatory body) following a ruling by the Supreme Court.⁸⁶

41. AI reported that most judges had no formal training in law,⁸⁷ yet exercised considerable discretion – often based on their own interpretation of Islamic law – in determining both the offence and its appropriate punishment.⁸⁸

42. CRIN recommended that Maldives: explicitly prohibit and enforce prohibitions on capital punishment, life imprisonment and corporal punishment for persons under 18 years of age, under all systems of justice and without exception to ensure full compliance with

international standards; and provide disaggregated data about sentences handed down to children by offence committed and date, as well as information about children in detention, including gender, age and length of time spent in pre-trial detention in each case.⁸⁹

4. Right to privacy

43. While noting that Maldives rejected all previous UPR recommendations related to sexual orientation and gender identity,⁹⁰ CHRI made recommendations, including that the Government work towards de-criminalising same-sex sexual conduct by initially establishing a moratorium on prosecutions.⁹¹

5. Freedom of religion or belief, expression, association and peaceful assembly, and right to participate in public and political life

44. AI alleged that with the emergence of vigilante religious groups that created and executed their own laws and the government's persistent failure to bring them to justice, the protection of the rights to freedom of thought, conscience and religion and freedom of expression was worse than at the time of the previous UPR.⁹²

45. Referring to allegations that supporters of religious tolerance were attacked ISHR reported that in October 2012, Maldivian MP, Dr. Afrasheem Ali, an Islamic moderate and advocate for certain rights within Islam, was stabbed to death outside his home.⁹³ According to European Centre for Law and Justice (ECLJ), in November 2011, the Ministry of Islamic Affairs banned a controversial blog written by a freelance journalist and religious freedom campaigner,⁹⁴ who, JS5 noted, was stabbed several months later.⁹⁵ According to AI, those attacks took a new form in June 2014 when a vigilante religious group kidnapped several young men for hours, ill-treated them and warned them not to promote "atheism". None of the kidnappers had been brought to justice, even though the identities of some of them were allegedly known to the victims.⁹⁶

46. JS3 reported on the disappearance in August 2014 of Ahmed Rilwan.⁹⁷ AI noted that he was a well-known journalist with Minivan News who had allegedly been investigating the activities of vigilante religious groups.⁹⁸ AI recommended that Maldives investigate thoroughly the possible abduction or enforced disappearance of Rilwan and bring to justice those responsible in a fair trial.⁹⁹ MDN additionally recommended that the Government disclose to the UN Human Rights Council, in confidence if necessary, the status of the search for the disappeared journalist, Rilwan.¹⁰⁰

47. ECLJ and MDN reported on the Religious Unity Act which regulated Islamic preaching and practices.¹⁰¹ Furthermore, MDN alleged that the Minister of Islamic Affairs had acknowledged extremism in the Maldives around mid-2012, although no action was taken on the issue.¹⁰² ECLJ also reported that intolerance towards other religions had been manifested via attacks on cultural symbols in Maldives. In 2011, monuments given to the Maldives by the South Asian Association for Regional Cooperation were damaged because they allegedly depicted "anti-Islam" objects of worship. In 2012, artefacts in the National Museum were vandalized, reportedly leading to the destruction of "99 percent" of Maldives' pre-Islamic history.¹⁰³

48. JS3 reported that the situation with regard to press freedom and protection of freedom of expression and journalists in Maldives had sharply deteriorated between 2010 and 2014.¹⁰⁴ JS5 referred to a report by the Maldives Broadcasting Commission released in May 2014 in which 84 percent of journalists interviewed stated that they had been threatened in person, via telephone calls and on social media between 2011 and 2013. Journalists reportedly said that those threats primarily came from political parties, gangs and religious extremists. 43 percent of the journalists did not report those threats to the

police. Journalists said that those threats made them reluctant to report on sensitive matters.¹⁰⁵

49. JS5 reported that in July 2012, there was a spate of attacks on journalists that were covering protests. They were attacked by both the police and the protesters, resulting in several journalists being injured. JS5 reported that, on 22 February 2013, two senior female members of the Maldives Broadcasting Commission were attacked with corrosive fluid.¹⁰⁶ JS3 reported on a second attack on 22 February 2013, when Head of News at Raajje TV was brutally attacked with an iron rod,¹⁰⁷ and MDN alleged that the incident took place days after he reported on judicial corruption.¹⁰⁸

50. JS5 reported that, on 30 January 2012, the office of Dhi TV was attacked with bricks after broadcasting anti-government protests.¹⁰⁹ JS3 stated that Television Maldives (TVM) was physically attacked on 7 Feb 2012 by the security forces and then opposition politicians and activists. That attack had not been investigated to date.¹¹⁰ JS3 reported that Villa TV was also attacked in March 2012. Those incidents were investigated and those responsible prosecuted.¹¹¹ CHRI stated that the station of Raajje was the target of an arson attack, in October 2013.¹¹² JS3 reported that, while CCTV footage showed the attackers, the investigation was not yet completed and no one had been prosecuted for the attack.¹¹³ According to JS5, the Supreme Court, on 19 October 2013 mere days after the arson attack, ordered a police investigation into Raajje TV's CEO and head of the news department for reporting on an alleged sex scandal involving a judge.¹¹⁴

51. According to JS3, the Parliamentary Privileges Act threatened press freedom and posed serious challenges for free and independent journalism.¹¹⁵ HRCM explained that the Act could be used to force journalists to reveal their source.¹¹⁶ JS5 recommended that sections 17(a) and 18(b) of the Parliamentary Privileges Act be repealed.¹¹⁷

52. According to TM, another restriction on freedom of expression was the promulgation in September 2014 of the regulation prohibiting the publishing of literary works without the prior approval of the State and putting in place a bureaucratic censorship regime. TM recommended that Maldives immediately remove restrictions on media freedom and freedom of expression by repealing problematic provisions and amending the recent regulation on publication of literature in conformity with the Constitution and international norms.¹¹⁸

53. With reference to UPR recommendations on freedom of the media and expression,¹¹⁹ TM welcomed the State's ratification of the domestic Right to Information Act in 2014 as a positive contribution to good governance and reiterated the importance of the expedient implementation of its provisions.¹²⁰ ISHR also reported that, under the Act, an 'independent' Commissioner of Information was appointed by the President and endorsed by Parliament in July 2014. The Act provided for whistle-blowing protection, aimed at enhancing access to information for the public and media.¹²¹

54. JS3 stated that the Supreme Court Regulations on Contempt of Court prevented media from reporting on Courts, and Court cases, as any reporting could be deemed to be in contempt of Court; and that some reporters remained charged with contempt of Court for reporting.¹²²

55. While the recently endorsed Freedom of Peaceful Assembly Act encompassed positive developments, HRCM reported that it also raised concerns including over the requirement to accredit reporters.¹²³ According to MDN, the Act gave wide discretionary powers to the police in dispersing assemblies and protecting participants in assemblies.¹²⁴ CHRI reported that the Act outlawed gatherings outside the private residences of the President and Vice-President, certain government buildings, tourist resorts, ports and airports without prior approval of the police.¹²⁵ JS5 recommended that: the Act be repealed; best practices forwarded by the Special Rapporteur on the right to peaceful assembly be

adopted, which call for notification rather than permission to assemble; the use of excessive force in the dispersal of protests be publicly condemned and a formal investigation into such instances launched; and security forces in charge of crowd control be equipped with non-lethal weapons and provided training on humane means of crowd control and on the UN Basic Principles on the Use of Force and Firearms.¹²⁶

56. HRCM reported that some NGOs advocating for human rights and democracy had been subjected to intimidation by state actors.¹²⁷ In its analysis of the 2003 Associations Act, JS5 pointed out that Articles 29 and 32 of the Act had the potential to be abused to punitively close civil society organizations. In 2013, for example, the then Minister for Home Affairs, who was also the NGO Registrar, announced his intention to close over 70 percent of legally registered NGOs for allegedly failing to adhere to reporting requirements provided in Article 29 of the Act.¹²⁸ JS5 and MDN reported on alleged threats of deregistration against specific organizations.¹²⁹ MDN further reported that the Ministry of Home Affairs announced in July 2014 that registration of NGOs that held the name "Maldives" would be rejected.¹³⁰ JS5 recommended that Maldives establish an independent impartial body with procedural safeguards to oversee the registration of CSOs and that the NGO registrar should not be a presidential appointee in order to protect the independence of the process.¹³¹

57. HRCM recommended that Maldives take measures to address the issue of threats and intimidation directed to parliamentarians, journalists or civil society activists to ensure their safety.¹³²

58. JS5 noted that, in August 2014, the Attorney General stated that the Maldives was considering reforming the Associations Act.¹³³ TM stated that Maldives' acknowledged that the existing legal framework was limiting freedom of association and was not in line with international standards, and needed to be revised in order to align it with the 2008 Constitution to create a conducive environment for establishing a vibrant civil society. TM recommended that Maldives expedite the amendment of legislation to decriminalize unregistered and informal associations.¹³⁴

59. JS1 reported that the international community observing elections in 2013 raised concerns on the conduct of the Supreme Court and the politicisation of the courts.¹³⁵ TM recommended that Maldives: remove limitations and ambiguity in legislation on minimal requirements to form and sustain political parties to bring it in line with international norms; address and resolve legal discrepancies and inconsistencies between the guidelines issued by the Supreme Court, and other related legal framework supporting elections; and secure the independence of the Elections Commission from state interference.¹³⁶

60. JS4 reported that despite accepting recommendations to increase women's representation in public life,¹³⁷ no significant improvement had occurred since 2010.¹³⁸ JS1 reported that the Elections Commission was an all-male body and about the recently announced all-male Sports Commission.¹³⁹ JS4 noted that among the 185 sitting judges in the country, only 9 are women.¹⁴⁰ JS4 highlighted the positive example of the national banking regulator's current gender-balanced Board and its 2014 policy to increase maternity leave for female employees to 6 months, an initiative that had no precedent.¹⁴¹

61. JS4 made detailed recommendations on the introduction of legislative quotas for women's representation, such as amending the Decentralisation Act 2010 to include a 30 percent quota for women for local council seats.¹⁴²

6. Right to work and to just and favourable conditions of work

62. HRCM reported that lack of transparency in distribution of service charge was a major reason for strike in tourism industry while not receiving full payment of overtime pay

was a grave concern raised by Teachers' Association. HRCM recommended that Maldives enact a law on industrial relations.¹⁴³

63. HRCM stated that there was an alarming rise in unemployment especially among youth and women. Sexual harassment at the workplace remained a daunting reality. The bulk of complaints received by state institutions related to unfair dismissal, wage claims, breach of contract and violation of employment rights of migrant workers. The monitoring efforts of Government were hindered due to budgetary constraints. HRCM recommended that Maldives strengthen measures to ensure implementation of Employment Act.¹⁴⁴

7. Right to social security and to an adequate standard of living

64. Reporting that the non-existence of minimum wage had a detrimental effect for employees working in the private sector, especially migrant workers, HRCM recommended that Maldives establish a minimum wage and unemployment benefit.¹⁴⁵

8. Right to health

65. JS4 noted that MDG5-B on universal access to reproductive health was not achieved.¹⁴⁶ JS1 stated that access to reproductive health care remained an issue for unmarried women due to criminalization of giving birth outside of wedlock and reporting by health caregivers, leading to illegal and unsafe abortion practices.¹⁴⁷ HRCM also referred to frequent media reports about infanticide and abandonment of infants.¹⁴⁸ JS4 recommended that Maldives establish and strengthen public health facilities to provide community-based, accessible, professional and confidential sexual and reproductive health information, education and services for young people, prioritising communities in the atolls and younger adolescents; and revise the core school curriculum to significantly increase and improve age-appropriate adolescent sexual and reproductive health education.¹⁴⁹

66. HRCM reported that drug abuse remained a serious concern. There were no drug treatment services available during the period of remand and detention. There was no screening system for HIV/AIDS and STIs in the prison systems. HRCM recommended that Maldives: formulate an action plan to fully implement Drug Act and accelerate measures to expand the accessibility and availability of drug treatment; and take necessary actions to address HIV/AIDS related human rights issues, including prevention for high risk groups.¹⁵⁰

9. Right to education

67. HRCM reported that there were disparities in availability of educational services and opportunities for vocational training remained low. An effective system to improve teachers' performance needed to be in place. Many schools neglected to provide additional support for low performers. Lack of financial support to pursue higher education was a challenge. Right to education was not provided for children in conflict with the law, in pre-trial detention and in prison. HRCM recommended that Maldives enact the Education bill; eradicate disparities in educational services; and progressively improve the quality of education.¹⁵¹

10. Persons with disabilities

68. HRCM reported that disability rights were not mainstreamed into Government policies and action plans. Many public buildings, including HRCM were not accessible for persons with disabilities¹⁵² and made recommendations.¹⁵³ Noting the Maldives' commitments to improve the situation of persons with disabilities,¹⁵⁴ JS2 raised many concerns and made many recommendations,¹⁵⁵ including revision of the 2010 Disabilities Act for the strengthening of the independence, budget and other functions of the Disability

Council.¹⁵⁶ JS2 reported that specific areas in dire need of capacity building included: teachers specially trained for inclusive education and special education needs classes; therapists who provide treatments that are relevant for persons with disabilities; and early detection and intervention. JS2 stated that international cooperation would be of vital assistance in three areas which had the potential for improvement in a relatively short period: access to education, access to health services and mainstreaming of the disability policy.¹⁵⁷

11 Migrants, refugees and asylum seekers

69. JS1 reported that an estimated 200,000 migrant workers lived in Maldives, 40,000 of whom were undocumented.¹⁵⁸ HRCM stated that there were countless reports of exploitation of migrant workers.¹⁵⁹ JS1 recommended that the Government make an inventory of the human rights situation of all migrant workers through a comprehensive study.¹⁶⁰ TM recommended that Maldives strengthen mechanisms for handling labour related complaints to make it more accessible to migrant workers.¹⁶¹

12. Internally displaced persons

70. Reporting that, since the 2004 Tsunami, 252 persons still lived as internally displaced persons (IDPs) on 6 islands, HRCM recommended that the Maldives expedite provision of permanent housing for all IDPs.¹⁶²

Notes

¹ The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at www.ohchr.org.

Civil society

Individual submissions

AI	Amnesty International, London, United Kingdom of Great Britain and Northern Ireland;
ARC	Advocating the Rights of Children, Male', Maldives;
CHRI	Commonwealth Human Rights Initiative, New Delhi, India;
CRIN	The Child Rights International Network, London, United Kingdom;
ECLJ	European Centre for Law and Justice, Strasbourg, France;
GIEACPC	Global Initiative to End All Corporal Punishment of Children, London, United Kingdom;
ISHR	International Service for Human Rights, Geneva, Switzerland;
MDN	Maldivian Democracy Network, Male', Maldives;
TM	Transparency Maldives, Male', Maldives.

Joint submissions

JS1	Joint submission 1 submitted by: Maldivian Democracy Network, Voice of Women, Dhi Youth Movement, Male', Maldives;
JS2	Joint submission 2 submitted by: Child Advocacy Network of Disability Organizations (CAN DO), Male', Maldives;
JS3	Joint submission 3 submitted by: Minivan News and Minivan Radio, Male', Maldives;
JS4	Joint submission 4 submitted by: the Sexual Rights Initiative (SRI), Ottawa, Canada (The members of the Sexual Rights Initiative coalition are: Action Canada for Population and Development (ACPD) (in consultative status with ECOSOC), Akahatā – Equipo de Trabajo en Sexualidades y Géneros, Coalition of African Lesbians (CAL), Creating Resources for Empowerment in Action (CREA, India), Federation for Women and Family Planning (Poland) (in consultative status with ECOSOC), Egyptian Initiative for Personal Rights (EIPR), Society for Health Education,
JS5	Joint submission 5 submitted by: CIVICUS: World Alliance for Citizen Participation, Johannesburg (South Africa); and Voice of Women, Male', Maldives.

National Human Rights Institutions:

HRCM	Human Rights Commission Maldives.
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² The following abbreviations may have been used in the present document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination;
ICESCR	International Covenant on Economic, Social and Cultural Rights;
OP-ICESCR	Optional Protocol to ICESCR;
ICCPR	International Covenant on Civil and Political Rights;
ICCPR-OP 1	Optional Protocol to ICCPR;
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty;
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women;
OP-CEDAW	Optional Protocol to CEDAW;
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
OP-CAT	Optional Protocol to CAT;
CRC	Convention on the Rights of the Child;
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict;
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography;

OP-CRC-IC	Optional Protocol to CRC on a communications procedure.
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.
CRPD	Convention on the Rights of Persons with Disabilities.
OP-CRPD	Optional Protocol to CRPD.
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance.

- ³ For the full text of the recommendations, see A/HRC/16/7, paras. 100.11 (Ecuador), 100.12 (Slovenia) and 100.13 (Austria).
- ⁴ AI, p. 1.
- ⁵ For the full text of the recommendations, see A/HRC/16/7, paras. 100.10 (Brazil).
- ⁶ TM, paras. 32 and 34.
- ⁷ TM, para. 32.
- ⁸ JSI, recommendation c, p. 6.
- ⁹ CHRI, section B, recommendation 2.
- ¹⁰ MDN, recommendation b, p. 3.
- ¹¹ For the full text of the commitments, see A/68/359, pp. 4-5.
- ¹² ARC, recommendations, para. 4, p. 1 and para. 13, p. 3.
- ¹³ For the full text of the recommendations, see A/HRC/16/7, paras. 100.15 (Slovenia), 100.16 (State of Palestine), 100.17 (Brazil), 100.19 (Slovakia), 100.21 (Spain).
- ¹⁴ ARC, recommendation, para. 5, p. 2.
- ¹⁵ For the full text of the recommendations, see A/HRC/16/7, paras. 100.15 (Slovenia), 100.16 (State of Palestine), 100.17 (Brazil), 100.20 (Canada), 100.21 (Spain).
- ¹⁶ JSI, para. 1a, p. 2.
- ¹⁷ HRCM, recommendation, paras. 20-22, p. 5.
- ¹⁸ ARC, para. 3.
- ¹⁹ TM, recommendation, para. 6.
- ²⁰ ARC, para. 9.
- ²¹ HRCM, recommendation, para. 19, p. 5.
- ²² HRCM, recommendation, para. 8, p. 3.
- ²³ AI, p. 2.
- ²⁴ AI, recommendation, p. 4.
- ²⁵ ISHR, part 5.
- ²⁶ AI, recommendation, p. 4.
- ²⁷ CHRI, para. 4. See also CHRI, paras. 5 and 6.
- ²⁸ CHRI, recommendation 1, part A. See also, HRCM, section on Access to justice, recommendation p. 3 and TM, para. 41.
- ²⁹ ISHR, recommendations, part 6.
- ³⁰ For the full text of the recommendations, see A/HRC/16/7, paras. 100.27 (Hungary) and 100.28 (Norway).
- ³¹ JS4, section 1, part c and recommendation 3, p. 2.
- ³² JS4, executive summary, p. 1.
- ³³ JS4, part 4, paras. a and b and recommendations 1-3, pp. 5-6.
- ³⁴ HRCM, para. 25.
- ³⁵ JSI, para. 44 and recommendation g, p. 11. See also, recommendations, e, f and h.
- ³⁶ JSI, para. 37.
- ³⁷ HRCM, para. 17.
- ³⁸ AI, p. 3.
- ³⁹ AI, recommendations, p. 5.
- ⁴⁰ See A/HRC/16/7/Add. 1, para. 100.56.
- ⁴¹ AI, p. 1.
- ⁴² CRIN, para. 2.
- ⁴³ CHRI, para. 9.
- ⁴⁴ JSI, para. 9.
- ⁴⁵ CHRI, para. 9.
- ⁴⁶ HRCM, para. 19 and recommendation, p. 5.

- ⁴⁷ JSI, recommendation a, p. 5.
- ⁴⁸ HRCM, para. 1 and recommendation p. 2. See also, HRCM, para. 18.
- ⁴⁹ CHRI, paras. 13-14.
- ⁵⁰ JSI, para. 53.
- ⁵¹ HRCM, para. 4.
- ⁵² AI, p. 4.
- ⁵³ JSI, recommendation j, p. 13. See also, HRCM, para. 11 and recommendations.
- ⁵⁴ JS5, para. 3-5.
- ⁵⁵ For the full text of the recommendations, see A/HRC/16/7, para. 100.58 (France, Austria, New Zealand, Brazil).
- ⁵⁶ AI, p. 1. See also, CHRI, paras. 11-12.
- ⁵⁷ JSI, para. 42.
- ⁵⁸ JS4, part 5, para. d.
- ⁵⁹ JSI, para. 42 and AI, p. 2.
- ⁶⁰ AI, recommendations, p. 4.
- ⁶¹ GIEACPC, para. 2.2.
- ⁶² HRCM, para. 5.
- ⁶³ HRCM, para. 5.
- ⁶⁴ ARC, section D, part a, para. 17, recommendation p.4.
- ⁶⁵ JS4, part 1, para. b.
- ⁶⁶ JSI, para. 41.
- ⁶⁷ HRCM, para. 20.
- ⁶⁸ JS4, p. 9, recommendations 3 and 4.
- ⁶⁹ HRCM, para. 17.
- ⁷⁰ CHRI para. 11.
- ⁷¹ MDN, para. 39.
- ⁷² JSI, para. 44.
- ⁷³ ARC, para. 6, recommendations, p. 2.
- ⁷⁴ ARC, paras. 7-8, recommendation, p. 2.
- ⁷⁵ ARC, para. 13, recommendation, p. 3.
- ⁷⁶ HRCM, paras. 2-3 and recommendation.
- ⁷⁷ See submissions of AI, p. 2 and p. 4, ARC, part c, p. 3, CHRI, paras. 6 and 9 and recommendations, pp. 1-3, CRIN, pp. 1-4, HRCM, paras. 6-8 and 18-19, pp. 2-5, ISHR, parts 1, 4 and 6, pp. 1-2, JSI, paras. 21-31, JS3, paras. 24-26 and TM, paras. 36-44.
- ⁷⁸ AI, p. 2.
- ⁷⁹ AI, p. 2.
- ⁸⁰ JSI, paras. 21-31, recommendation d, p. 9.
- ⁸¹ TM, paras. 38-39.
- ⁸² TM, recommendations, paras. 42 and 44.
- ⁸³ ISHR, part 4, p. 2.
- ⁸⁴ ISHR, part 2, p. 1 and JSI, para. 29.
- ⁸⁵ TM, para. 37.
- ⁸⁶ MDN, para. 30. See also, TM, para. 14.
- ⁸⁷ See also, TM, para. 36.
- ⁸⁸ AI, p. 2.
- ⁸⁹ CRIN, para. 17, recommendations.
- ⁹⁰ For the full text of the recommendations, see A/HRC/16/7, paras. 100.50 (Norway), 100.51 (Australia), 100.52 (Canada), 100.53 (France), 100.54 (France).
- ⁹¹ CHRI, part E, recommendations 1-3.
- ⁹² AI, p. 1.
- ⁹³ ISHR, part 4, p. 2.
- ⁹⁴ ECLJ, para. 4.
- ⁹⁵ JS5, para. 4-9.
- ⁹⁶ AI, p. 3.
- ⁹⁷ JS3, para. 17.
- ⁹⁸ AI, p. 3.

- ⁹⁹ AI, p. 5.
- ¹⁰⁰ MDN, recommendation a, p. 2.
- ¹⁰¹ MDN, para. 33 and ECLJ, paras. 3-4. See also, MDN, para. 31.
- ¹⁰² MDN, para. 36. See also, ECLJ.
- ¹⁰³ ECLJ, para. 12.
- ¹⁰⁴ JS3, para. 6.
- ¹⁰⁵ JS5, para. 4.4.
- ¹⁰⁶ JS5, para. 4.7. See also, JS3, para. 10.
- ¹⁰⁷ JS3, para. 11.
- ¹⁰⁸ MDN, para. 11.
- ¹⁰⁹ JS5, para. 4.6.
- ¹¹⁰ JS3, para. 18.
- ¹¹¹ JS3, para. 19 and JS5, para. 4.6.
- ¹¹² CHRI, para. 17.
- ¹¹³ JS3, para. 20.
- ¹¹⁴ JS5, para. 4.6.
- ¹¹⁵ JS3, para. 23.
- ¹¹⁶ HRCM, para. 9.
- ¹¹⁷ JS5, recommendation, para. 6.3 and para. 4.10.
- ¹¹⁸ TM, paras. 24 and 26.
- ¹¹⁹ For the full text of the recommendations, see A/HRC/16/7, paras. 100.22 (Brazil), 100.25 (Qatar), 100.34 (Bhutan), 100.35 (Sri Lanka), 100.36 (State of Palestine), 100.37 (Saudi Arabia), 100.103 (Slovenia) and 100.119 (Nigeria).
- ¹²⁰ TM, para. 21.
- ¹²¹ ISHR, part 5.
- ¹²² JS3, paras. 24 and 25.
- ¹²³ HRCM, para. 12.
- ¹²⁴ MDN, para. 17.
- ¹²⁵ CHRI, para. 15.
- ¹²⁶ JS5, recommendations, para. 6.4. See also, HRCM, paras. 11-12 and recommendations.
- ¹²⁷ HRCM, para. 13.
- ¹²⁸ JS5, paras. 2.9 and 2.10.
- ¹²⁹ JS5, para. 2.10 and MDN, para. 28.
- ¹³⁰ MDN, para. 27.
- ¹³¹ JS5, recommendations, para. 6.1.
- ¹³² HRCM, section on freedom of expression, paras. 9-10, recommendation, p. 3. See also, JS5, recommendations, paras. 6.2 and 6.3, ISHR, recommendations, part 6, CHRI, section D, recommendation 1, MDN, recommendations d and f, pp. 3-4, TM, recommendations 15 and 25, AI, recommendations p. 5.
- ¹³³ JS5, para. 2.12.
- ¹³⁴ TM, para. 17 and recommendation, para. 19.
- ¹³⁵ JS1, para. 31, p. 9.
- ¹³⁶ TM, recommendations, paras. 11 and 29-30.
- ¹³⁷ For the full text of the recommendations, see A/HRC/16/7, paras. 100.45 (United Kingdom), 100.46 (Norway), 100.106 (Philippines).
- ¹³⁸ JS4, Section 2, part a, p. 2.
- ¹³⁹ JS1, para. 45.
- ¹⁴⁰ JS4, section 2, part a, p. 2.
- ¹⁴¹ JS4, section 2, part f, p. 3.
- ¹⁴² JS4, section 2, recommendations 1-5, p. 4. See also, HRCM, paras. 20-22 and recommendations, p. 5.
- ¹⁴³ HRCM, para. 13 and recommendation.
- ¹⁴⁴ HRCM, para. 23.
- ¹⁴⁵ HRCM, para. 23.
- ¹⁴⁶ JS4, section 5, para. a.
- ¹⁴⁷ JS1, para. 43.
- ¹⁴⁸ HRCM, para. 15.

- ¹⁴⁹ JS4, section 5, recommendations 1-2, p. 7.
- ¹⁵⁰ HRCM, paras. 29 and 16 and recommendations.
- ¹⁵¹ HRCM, para. 28 and recommendations.
- ¹⁵² HRCM, para. 26. See also, para. 27.
- ¹⁵³ HRCM, recommendations, paras. 26-27.
- ¹⁵⁴ For the full text of recommendations, see A/HRC/16/7, paras. 100-30 (Mexico) and 100-49 (Qatar).
- ¹⁵⁵ JS2, paras. 1-79.
- ¹⁵⁶ JS2, para. 16, recommendation I, p. 2.
- ¹⁵⁷ JS2, paras. 76-77.
- ¹⁵⁸ JS1, para. 18.
- ¹⁵⁹ HRCM, paras. 3 and 24. See also, JS1, para. 18.
- ¹⁶⁰ JS1, recommendation b, p. 6.
- ¹⁶¹ IM, para. 35.
- ¹⁶² HRCM, para. 30 and recommendation. See also, CHRI, para. 5.
-